

RESOLUTION NO. ____ -05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE CERTIFYING THE ENVIRONMENTAL IMPACT
REPORT, APPROVING A MITIGATION MONITORING AND
REPORTING PROGRAM, AMENDING THE GENERAL PLAN
AND ADOPTING A SPECIFIC PLAN FOR AN 8.83 ACRE SITE
LOCATED AT 1250 LAKESIDE DRIVE (THE LAKESIDE
SPECIFIC PLAN)**

WHEREAS, the purpose of the Lakeside Specific Plan is to facilitate the development of a proposed mixed-use hotel and residential project (“the Project”) for the 8.83 acre property located at 1250 Lakeside Drive in Sunnyvale (APNs 216-43-035 and 216-43-036). Existing development on the site is an aging low-rise hotel complex that would benefit from redevelopment. The property is ideally suited for hotel and residential use, it is close to a number of City and regional amenities and visitor attractions. The location has convenient access to major regional highways, including the Lawrence Expressway, and with U.S. Highway 101 which connects all the cities of the peninsula between San Jose and San Francisco; and

WHEREAS, the current general plan designation for the property is “industrial,” with an M-S (industrial and service) zoning district designation. The City Council of the City of Sunnyvale directed staff to initiate a general plan amendment for the site and to prepare a comprehensive regulatory and policy document to guide development of the Project, and further directed staff to undertake necessary environmental review of the proposed Project; and

WHEREAS, pursuant to the City Council's directive, the Lakeside Specific Plan (“the Plan”) was prepared. The property is located at 1250 Lakeside Drive on the northeast side of the City of Sunnyvale near the City of Santa Clara. It is bounded on the north and west by Lakeside Drive, on the south by a man-made lake and on the east by the property line for the Residence Inn, as depicted more particularly in the map attached and incorporated herein as "Exhibit A." The proposed Plan was developed with extensive community input, and the policy and regulatory elements of the Plan reflect consultation with business and property owners, developers, staff, and the general public; and

WHEREAS, the proposed Plan is intended to serve as a land-use policy document to regulate future development within the Project area. The Plan provides for a mixed-use hotel and residential development. The objective of the Project is to increase the value of the property by developing a high-end hotel that includes updated amenities and providing housing. The proposed hotel will include updated accommodations for conferences, meetings, and weddings, which would allow the hotel to remain competitive with existing, higher-end hotels in the areas. The residential development will help meet the City’s need for multi-family housing. The Plan will create a new “Lakeside Specific Plan” General Plan land-use category and zoning district; and

WHEREAS, implementation of the Lakeside Specific Plan will require (1) adoption of amendments to the City of Sunnyvale General Plan Land Use and Transportation Element, and General Plan Map, (2) adoption of the Lakeside Specific Plan, (3) adoption of amendments to the City's Zoning Code, including the Precise Zoning Plan/Zoning District Map, and (4) issuance of a special development permit and parcel map approval; and

WHEREAS, the Lakeside Specific Plan has been prepared, along with related zoning code amendments and a proposal to amend the General Plan Land Use and Transportation Element ("the General Plan Amendment"), including the General Plan Map, designating land use for the Project area, as described and depicted in "Exhibit B," attached hereto and incorporated by reference; and

WHEREAS, a draft and final Environmental Impact Report (jointly "the EIR") have been prepared to assess the potential environmental impacts of the Project, describe alternatives to the Project proposal and potential mitigation measures; and

WHEREAS, the Planning Commission has considered the EIR, the Lakeside Specific Plan, and the General Plan Amendment at a public hearing held on August 29, 2005, and has recommended the City Council's certification of the EIR, adoption of the proposed Mitigation Monitoring and Reporting Program, and adoption of the Lakeside Specific Plan and General Plan Amendment and related actions; and

WHEREAS, the City Council held a public hearing on _____, and has considered the reports and documents presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sunnyvale that it hereby adopts the following findings and actions:

I. OVERVIEW OF THE PROJECT. The Lakeside Specific Plan provides general land use and design criteria for creative revitalization of the site as a mixed-use hotel and residential development. Implementation of the Plan will increase the value of the property and its importance to the City into the future. The addition of residential units as a component of the overall hotel development is recognized as having the beneficial effect of making the site attractive to hotel visitors as well as to residents. The projected resident population will provide an increased level of on-site activity through an extended period of the day and into the evening. Hotel visitor amenities, such as restaurant and retail businesses, benefit from and are an attraction for nearby residents, who also are potential customers. Moreover, more people using the adjacent open spaces associated with the lake provide an increased sense of safety and interest for everyone.

The Lakeside Specific Plan creates a site-based new general plan and zoning district designation – Lakeside Specific Plan ("LSP"). The purpose of the LSP designation and district is to implement the Project described in the specific plan to ensure that design criteria are met and operational standards are maintained for the site. Further information about the proposed land use and development policies contemplated by the LSP may be found in the staff reports presented to the City Council and in the Program EIR, as well as other documents maintained by City staff.

II. EIR CERTIFICATION. The City Council has reviewed the documents comprising the Draft and Final EIR for the Lakeside Specific Plan (the “EIR”) and hereby finds that the EIR reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the Project. Accordingly, the City Council hereby certifies the EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act (“CEQA”). The City Council also incorporates by this reference the findings contained in the EIR as to the environmental effects of the Project, together with the additional findings contained in this Resolution.

III. CONSIDERATION OF PROJECT AND PROJECT ALTERNATIVES. The LSP Project (“Proposed Project”) described and considered in the EIR would allow the replacement of the existing hotel buildings on the site, which are up to 35-feet tall, and the redevelopment of the project site with a new hotel and residential buildings that could be up to 80-feet tall. The residential development will consist of four buildings that would be oriented around a landscape podium. Parking for the residential development would be provided underneath the landscaped podium, at grade, by a multi-tiered parking structure, approximately 20-feet tall, along the Lakeside Drive frontage near US highway 101, and by surface parking lots. Parking for the new hotel would be provided by another two-tiered parking structure, approximately 20-feet tall along the western boundary of the site. The proposed project includes the preservation of all significant-sized trees located along the site frontage.

CEQA guidelines require that an EIR include a comparative analysis of alternatives to a project, to determine whether the project's goals might be met with less environmental impacts. In addition to the Proposed Project, the draft EIR for the LSP analyzed and reviewed six alternatives to the Project, as follows:

Alternative 1: No project (status quo) - assumes industrial and service uses continue at the site. This includes the redevelopment of the site as a new, similarly-sized hotel.

Alternative 2: Reduced scale alternative – involves development of a similar hotel/residential project with lower heights and therefore, reduced density and mass and scale visual impacts.

Alternative 3: Design alternative – considers reorienting the buildings on site to shield future residents from the existing noise from Highway 101.

Alternative 4: Reduced height and design alternative – this alternative is a combination of the Alternatives 2 and 3.

Alternative 5: Alternative land use – considers redevelopment of the site as an industrial or service use, as permitted by right under the existing Zoning designation and General Plan land use.

Alternative 6: Alternative locations – discusses alternative locations.

The underlying purpose of the proposed specific plan is to guide redevelopment of the subject site so that the developer can achieve its goals and the City can obtain the economic and social benefits of the Project. The Proposed Project and all of the alternatives considered would create some significant impacts on the environment, however, these impacts can be mitigated.

Alternative 1, the "No Project" alternative, would create the least impact because it would yield the least amount of development. However, it would not achieve the purpose of the Project to create multi-family housing or a high-end hotel facility. Alternative 2 would provide for a reduced-scale project and therefore create less visual and other impacts, but would not provide the same level of housing or hotel benefits. Alternative 3, the design alternative, would achieve the same goals as the Proposed Project and would reduce noise impacts, but create greater visual impacts. Alternative 4 is a combination of 2 and 3, so it would result in a reduced-scale project with different impacts. Alternative 5 involves changing the use from hotel and residential, and would therefore not meet the Project goals. Alternative 6 is not feasible because it involves property other than the site. Overall, Alternative 2, the reduced-scale project, is considered the environmentally superior project because it would have fewer impacts because it is a lesser project. However, given that the degree of impact difference between Alternative 2 and the Proposed Project is relatively minor, and that Alternative 2 would not yield the beneficial results of the Proposed Project, the City Council finds that the Proposed Project is the preferred alternative.

IV. MITIGATION MEASURES. The City Council also finds that the proposed mitigations incorporated in the LSP Project, and the Mitigation Monitoring and Reporting Program will reduce all of the environmental impacts of the Project to an insignificant level. The City Council accordingly approves the Mitigation Monitoring and Reporting Program as conditions of approval of the General Plan Amendment, and the Lakeside Specific Plan, and requires the development of the Plan area and issuance of development approvals which may be issued in the future to incorporate the mitigations set forth in the Mitigation Monitoring and Reporting Program.

V. GENERAL PLAN AMENDMENT. Based on the foregoing findings, the City Council finds and determines that the General Plan Amendment constitutes a suitable and logical change in the plan for physical development of the City of Sunnyvale, and it is in the public interest to approve the General Plan Amendment, which is next described in more detail.

A. Appendix A – Relationship of General Plan Land Use Categories with Zoning Categories of the Land Use and Transportation Element of the City of Sunnyvale General Plan is amended as follows:

1. Figure A.1: General Plan and Zoning Categories is revised by adding a new General Plan Category entitled "Lakeside Specific Plan" with a corresponding zoning category identified as "Lakeside Specific Plan (LSP)."

B. The text of Appendix B is amended by inserting the following at the end of the current text on page B-6:

Lakeside Specific Plan

The Lakeside Specific Plan is a site-based specific plan for an 8.83-acre property located at 1250 Lakeside Drive, near the Lawrence Expressway and US Highway 101 interchange. The Lakeside Specific Plan was adopted by the Sunnyvale City Council on September _____, 2005 to facilitate the development of a mixed-use hotel and residential project.

Primary Goals of the LSP:

- Redevelop the existing site with a high-end mixed-use residential and hotel project
- Create a significant landmark quality project that expresses the City's image and creates a unique environment at this key gateway location
- Create high-density housing units to increase the City's housing supply
- Incorporate "green building" and sustainability elements into the development

C. The General Plan Map is revised as depicted in Exhibit B to this Resolution to change the land use designation for the area to "LSP."

D. The Specialized Plans Map (Figure B.1) in the Land Use and Transportation Element is revised as depicted in Exhibit C to this Resolution, to change the land use designations for the area to "LSP."

VI. **LAKESIDE SPECIFIC PLAN ADOPTION.** Based on the foregoing findings, the City Council finds and determines that adoption of the Lakeside Specific Plan constitutes a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the Lakeside Specific Plan in its entirety. The City Council finds that the LSP is consistent with the City's General Plan, and supports the City's long-term goals for the area. Based upon the LSP's consistency with the General Plan, and subject to the implementation of the Mitigation Monitoring and Reporting Program as a condition of approval, the City Council approves and adopts the "Lakeside Specific Plan," a copy of which is on file in the office of the City Clerk.

VII. BE IT FURTHER RESOLVED, that the City Clerk is directed to file a certified copy of the amendment to the 1972 General Plan of the City of Sunnyvale with the Board of Supervisors and the Planning Commission of the County of Santa Clara and the planning agency of each city within the County of Santa Clara. The City Clerk is directed further to file a certified copy of the amendment with the legislative body of each city, the land of which may be included in the plan. The filing of a certified copy of this resolution constitutes compliance with this section.

Adopted by the City Council at a regular meeting held on _____, 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney

